

## United States Senate

WASHINGTON, DC 20510-4305

October 24, 2011

The Honorable Darrell Issa  
Chairman  
House Committee on Oversight and Government Reform  
2347 Rayburn House Office Building  
Washington, DC 20515

The Honorable Chuck Grassley  
Ranking Member  
Senate Judiciary Committee  
135 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Issa and Ranking Member Grassley:

I am writing to commend your oversight efforts and to express my hope that you will use your authority to investigate allegations that the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) conducted a “gun-walking” program similar to Operation Fast and Furious in the State of Texas. Clearly, ATF “gun-walking” schemes have had significant spillover effects in Texas—in two separate incidents in January and April of 2010, a total of 60 rifles that were “walked” during Operation Fast and Furious were recovered from the hands of criminals in El Paso.

As you know, the attorney for a federal firearms licensee (FFL) in Houston has alleged that its employees were ordered by the ATF to conduct suspicious sales of firearms to purchasers who may have been working on behalf of Mexican drug cartels. Last December, the Department of Justice convened a grand jury to investigate whether several of the Houston FFL’s salespeople were criminally liable for selling weapons to straw purchasers. This investigation was dropped only after the FFL revealed that the illicit sales were carried out at the behest of the ATF. I fear that ATF may have pressured other FFLs in Texas to conduct illegal activities, and that many of these weapons may have ended up in the hands of cartels and at the scene of multiple violent crimes in Mexico.

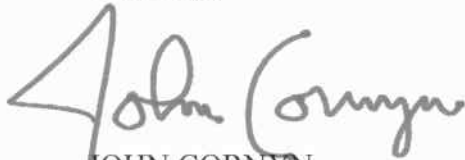
I also respectfully request that you investigate whether a Texas-based “gun-walking” program may have been responsible for the murder of US Immigration and Customs Enforcement agent Jaime Zapata on February 15, 2011 in Mexico. One of the weapons used to murder agent Zapata was purchased by Texas resident Otilio Osorio in October, 2010 and subsequently trafficked to Mexico through Laredo, Texas. Osorio and two co-conspirators were arrested by the Department of Justice on unrelated weapons charges in March 2011, and evidence uncovered by Senator Grassley suggests that the ATF was aware of Osorio’s weapons trafficking activities long before that date. The delay in his arrest raises concerns that the ATF knowingly allowed Osorio to continue trafficking weapons through Texas as part of a broader “gun-walking” program.

I wrote to Attorney General Holder in August asking him to promptly disclose the details of any past or present Texas-based ATF “gun-walking” programs similar to Operation Fast and Furious. I have not received any response from the Department of Justice. Though their failure to respond

is not direct evidence of malfeasance, the Department's reluctance to address allegations of additional "gun-walking" schemes in my state raises serious questions, and Texans deserve a full accounting of the Department's role in this matter.

I support your efforts to hold the Department of Justice accountable for their involvement in the Operation Fast and Furious tragedy. American tax dollars should never again be spent to arm Mexican drug cartels.

Sincerely,

A handwritten signature in dark ink, reading "John Cornyn". The signature is fluid and cursive, with the first name "John" and last name "Cornyn" clearly distinguishable.

JOHN CORNYN  
United State Senator

Cc: The Honorable Elijah Cummings  
Ranking Member  
House Committee on Oversight and Government Reform

The Honorable Patrick Leahy  
Chairman  
Senate Judiciary Committee